

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare – Krishna District – Vijayawada (Rural) Mandal – Tadepalli village - Release of decretal charges of Rs.17,24,985/- in OP.NOs.65/87 to 67/87 in AS Nos.2111, 886 of 2002 and 845 of 2004 – permission accorded - Orders - Issued.

SOCIAL WELFARE (LA) DEPARTMENT

G.O.RT.NO. 892

Dated:10-12-2008.

Read the following:

- 1.From the District Collector, Krishna Lr.Rc.No.G4/3006/2004, Dated.3-5-2005.
- 2.From the Commissioner of Social Welfare, AP, Hyderabad Letter Rc.No.LA3/4552/2005, dated.3-5-2005.
- 3.Govt. Memo. No.2572/ LA.1/2005-4, dated. 2-5-2007.
- 4.From the Commissioner of Social Welfare, AP, Hyderabad letter No.LA3/4552/05, dated.3-7-2007.
- 5.From the District Collector, Krishna Lr.Rc.No.G4/3006/2004, Dated.9-9-2008.

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ORDER:

The Commissioner of Social Welfare, Andhra Pradesh, Hyderabad, in his letters 2nd and 4th read above, has forwarded the proposal of the District Collector, Krishna in the reference 1st read above, has requested the Government for release of an amount of Rs.17,24,985/- towards payment of decretal charges in OP.No.65/87, 66/87 and 67/87 in AS Nos.2111, 886 of 2002 and 845 of 2004.

2. The Land Acquisition Officer/Tahsildar, Vijayawada (Rural) acquired land to an extent of Ac.4.11 cents in Tadepalli village, Vijayawada (Rural) Mandal for house sites to weaker sections, and passed Award No.3/83, dated.30-9-1983 duly fixing the market rate @ Rs.20,000/- per acre. Out of the total acquired land, the land owners of Ac.3.82 cents, covered in RS.No.166/1A, 166/2A1, 166/2A2, 172/4B & 172/9A, have filed OP No.65/87, 66/87 and 67/87 before the Prl.Senior Civil Judge, Vijayawada and the court in its common judgement dated.15-10-2001, enhanced the market value from Rs.20,000/- to Rs.80,000/- per acre. Against the lower court orders, the then Land Acquisition Officer /MRO, Vjayawada has filed AS.No.886/2002 (on OP No.66/87), AS No.2111 of 2002 (on OP No.65/87) and AS No.845/2004 (on OP No.67/87) before the Hon'ble High Court. The Court has issued interim orders to deposit 1/3rd of compensation amount to the reference Court. Accordingly, the Land Acquisition Officer has deposited an amount of Rs.5,42,129/- in the Court from out of the funds available with Sub-Collector, Vijayawada. On the appeals filed by the Land Acquisition Officer, the hon'ble High Court in its common judgment dated.14-3-2006, enhanced the land value to Rs.1,00,000/- per acre with all statutory benefits including interest on solatium etc. The Government Pleader for Appeals, High Court of A.P., Hyderabad in his letter dated.7-11-2006 has opined that these are not fit cases to prefer further to Hon'ble Supreme Court of India.

3. The Commissioner of Social Welfare, AP, Hyderabad in his letter 4th read above, has forwarded the proposal of the District Collector, Krishna along with revised calculation sheet as per the instructions issued by Finance Department vide their U.O.Note No.9730-A/133/A1/ Exp.SW/2007, dated.17-4-2007 and requested the Government to release an amount of Rs.17,14,985/- to comply with the orders of Hon'ble High Court or permit him to prefer appeals in the Supreme Court of India against the orders of High Court.

4. In view of the above circumstances, Government after careful examination of the matter, hereby accord permission to utilize an amount of Rs.17,24,985/- (Rupees seventeen lakhs twenty four thousand nine hundred and eighty five only) to the District Collector, Krishna towards decretal charges for acquisition of land in RS.No.166/1A, 166/2A1, 166/2A2, 172/4B & 172/9A to comply with the orders of Hon'ble High Court in AS.No.886/2002 (on OP No.66/87),AS No.2111 of 2002

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(on OP No.65/87) and AS No.845/2004 (on OP No.67/87) in its common judgment dated.14-3-2006, as detailed below:

OP No.	Amount deposited from out of the funds available with Sub-Collector,Vijayawada Rs.	Amount to be deposited as per High Court orders Rs.	Total amount Sanctioned Rs.
65/87	3,98,164	8,94,578	12,92,742
66/87	63,657	1,50,425	2,14,082
67/87	80,308	1,37,853	2,18,161
Total	5,42,129	11,82,856	17,24,985

5. The expenditure sanctioned in para (4) above shall be debited to “2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes -01 Welfare of Scheduled Castes – M.H.283- Housing – GH.11- Normal State Plan – SH (08) – Acquisition of House Sites for weaker sections under INDIRAMMA Programme – 310 – Grants-in-aid 312 – Other Grants-in-aid” and shall be met from the available Budget provision during B.E. 2008-09.

6. The Commissioner of Social Welfare, Hyderabad, is requested to issue necessary proceedings to the District Collector, Krishna to deposit the amount sanctioned above to comply with the orders of the Court.

7. The District Collector, Krishna is requested to verify the calculation sheet submitted by the Land Acquisition Officer once again before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order issues with the concurrence of Finance (Exp.SW) Department vide their U.O.No.27808/476/A1/Expr.SW/08, dated.28-11-2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY,
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Social Welfare, Andhra Pradesh, Hyderabad.
The District Collector, Guntur.

Copy to :

The Director of Treasuries and Accounts, A.P. Hyderabad.
The Pay and Accounts Officer, Hyderabad.
The Accountant General, A.P, Hyderabad.
The District Treasury Officer, Guntur.
The Finance (Exp.SW) /(BG) Department.
Stock file / spare copies.

//FORWARDED::BY ORDER//

SECTION OFFICER